

**MARCIA HURD**  
**Assistant U.S. Attorney**  
**U.S. Attorney's Office**  
**P.O. Box 1478**  
**Billings, MT 59103**  
**2929 Third Ave. North, Suite 400**  
**Billings, MT 59101**  
**Phone: (406) 657-6101**  
**FAX: (406) 657-6989**

**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**MISSOULA DIVISION**

<b>UNITED STATES OF AMERICA,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>RALPH LEON FOX,</b>  <b>Defendant.</b>	<b>CR 07-47-M-DWM</b>  <b>NOTICE OF INTENT TO USE</b> <b>EVIDENCE PURSUANT TO RULE</b> <b>404(B)</b>
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Comes now, Marcia Hurd Assistant, Assistant United States Attorney for the State and District of Montana and respectfully notifies the defendant of her intent to utilize at trial evidence of other crimes, wrongs or acts of defendant Fox pursuant to Rule 404(b), Fed.R.Crim.P. The evidence is admissible to show motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident in the

case currently charged before the court. The evidence sought to be introduced is contained within the investigative file and has been disclosed to the defendant. The evidence consists of Fox's prior conviction for sexual abuse of a minor female child, for which he is a convicted sexual offender required to be registered as such.

DATED this 13th day of August, 2007.

WILLIAM W. MERCER  
United States Attorney

/s/ Marcia Hurd  
MARCIA HURD  
Assistant U.S. Attorney  
Attorney for Plaintiff